

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY KATE MILLER, et. al.,

Plaintiffs,

v.

ADRENALINE AMUSEMENTS, INC.,

Defendant,

v.

OLD CLAIMCO, LLC

*Third-Party
Defendant.*

CIVIL ACTION
NO. 21-4603

ORDER

AND NOW, this 22nd day of February 2023, upon consideration of the Petition for Leave to Settle or Compromise Minor's Action (ECF 30), it is hereby **ORDERED** that movants, Mary Kate and Daniel Miller, are authorized to enter into a settlement with Defendants in the amount of Two Hundred Fifty Thousand dollars (\$250,000.00). Defendants shall forward all settlement drafts to Plaintiffs' Counsel for proper distribution.

IT IS FURTHER ORDERED that the settlement proceeds of \$250,000.00 be distributed as follows:

- | | | |
|----|---|-------------|
| a. | To: Fine and Staud, LLC (litigation costs) | \$7,734.05 |
| b. | To: Brad Krupnick, Esquire (attorneys' fees, 29% net) | \$70,257.13 |
| c. | To: Department of Human Services (lien reimbursement) | \$5,143.62 |

d. To: A.M., a minor (annuity purchase) \$166,865.18.

Plaintiffs' Counsel shall execute all documentation necessary to purchase a qualified annuity from Ace American Insurance Company and Certain Underwriters at Lloyds London, in the sum of \$166,865.18, with the funds payable to A.M. according to the following payout:¹

- a. \$15,000.00 at age 18 (on September 30, 2029)
- b. \$20,000.00 at age 22 (on September 30, 2033)
- c. \$50,000.00 at age 25 (on September 30, 2036)
- d. \$271,649.99 at age 30 (on September 30, 2041)

IT IS FURTHER ORDERED that within sixty days of the distribution of the funds set above, Plaintiffs' Counsel shall certify compliance with the terms of this Order in an Affidavit to the Court.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Counsel need not seek separate approval for minor alterations to this schedule if they arise from the annuity's actual purchase date, so long it is purchased within 180 days of November 1, 2022. See Accompanying Mem. and Op. Section II.B.